

the court that the product be released to the said claimant upon payment of costs and the execution of bonds totaling \$700, conditioned in part that it should not be sold or otherwise disposed of until properly labeled as required by law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16393. Misbranding of Frazier's distemper remedy. U. S. v. 7½ dozen, et al., bottles of Frazier's Distemper Remedy. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 23070, 23071. I. S. Nos. 01510, 02022, 02023. S. Nos. 1160, 1163.)

On September 13 and September 14, 1928, respectively, the United States attorneys for the Districts of Southern Ohio and Eastern Missouri, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said districts libels praying seizure and condemnation of 13½ small bottles and 5½ large bottles of Frazier's distemper remedy, in part at Cincinnati, Ohio, and in part at St. Louis, Mo., alleging that the article had been shipped by the Binkley Medical Co., from Nappanee, Ind., in part on or about July 6, 1928, and in part on or about July 17, 1928, and transported from the State of Indiana into the States of Ohio and Missouri, respectively, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of turpentine oil and tar.

It was alleged in substance in the libels that the article was misbranded in that the following statements, borne on the labels, regarding the curative and therapeutic effects of the said article were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton and bottle label) "Save your Horses * * * Frazier's Distemper Remedy A Safe and Reliable Remedy for the Treatment among Horses of Distemper, Pink-Eye, Influenza, Catarrhal-Fever, Shipping-Fever, Coughs and Colds, and other diseases of a similar nature affecting the Nose and Throat of Horses Also Sheep and Dogs * * * For Distemper, Influenza, Pink-Eye, Catarrhal-Fever and Epizootic * * * Distemper Remedy * * * Is absolutely safe for Brood Mares, Stallions, and Young Colts. * * * Shipping Fever, Bronchitis, Heaves, Coughs, Colds and all Nose and Throat diseases, same dose as for Distemper. Preventive—10 to 15 drops on horse's tongue, and place the same amount in trough. Worms and Kidney Trouble—10 to 20 drops, 3 times a day after feeding, place about 5 drops in ground feed. Distemper in Sheep and Dogs—10 to 20 drops, three times a day;" (booklet) "Frazier's Distemper Remedy the Only Rational Treatment—Surest and Best for Contagious Diseases * * * Save your Horses * * * Frazier's Distemper Remedy. A safe and reliable remedy for the treatment among horses of Influenza, Catarrhal Fever, Shipping Fever, Coughs and Colds, and other diseases of a similar nature affecting the Nose and Throat of Horses Also Sheep and Dogs. * * * this booklet * * * is arranged so that the common diseases may be known by their signs and symptoms and the Remedy applied quickly and effectively. The most stubborn diseases, that cannot be reached by the old system of doctoring horses, are forced to yield to Frazier's Distemper Remedy * * * 'Frazier's' is absolutely safe and perfectly reliable and quick in its action. Frazier's Distemper Remedy has been used with remarkable success for forty years. Its results are Guaranteed * * * Distemper, Influenza, etc. * * * Distemper or Strangles * * * It can be prevented, checked, and promptly relieved by the use of 'Frazier's.' * * * In nursing all cases of Distemper, Influenza, Pink Eye, and Epizootic * * * As soon as possible give one teaspoonful of 'Frazier's' * * * In the early stage, one to six doses of 'Frazier's' will check its progress and restore the horse to a healthy condition, without formation of a tumor under the jaw. * * * Cough—Chronic * * * Worms * * * Give one teaspoonful 'Frazier's' after feeding each evening, for one week, stop two days and continue as before * * * Influenza * * * Treatment—Begin as early as possible with 'Frazier's' Distemper Remedy * * * Frazier's Distemper Remedy is a good tonic to be given twice a day for four or five days in case of loss of appetite. * * * Care in Nursing Distemper and Influenza * * * The earlier the treatment is begun the more easily does the medicine take effect and the more quickly will the horse be ready for use. Prevention—Ten to fifteen drops placed on the horse's tongue and the same amount in the trough with feed. Treat all horses in stable where there is one case of contagious or infectious disease. It should be given upon the first

appearance of Distemper, Influenza, and all Catarrhal diseases in the community * * * Your Frazier's Distemper Remedy is great, it knocks the distemper out of a colt in two to four days. Pink Eye and Epizootic * * * Treatment—Same as for Distemper. A few years ago, when nearly every horse in the country had this disease, hundreds were either not treated at all or improperly treated, and consequently many were left in a bad condition, which they did not outgrow for months, and others died from want of proper treatment. Wherever 'Frazier's' was used the disease was entirely Cured or Prevented. LaGrippe and Coughs among People. 'Frazier's' has been used successfully in the treatment of Colds, Coughs, Asthma, and LaGrippe among the human race. We have hundreds of testimonials from people who have used this remedy with satisfactory results, 2 to 8 drops placed on sugar is the dose for persons, depending on age. * * * Do you know that you have the best Cough Remedy for human kind ever known? It also will cure LaGrippe if taken in time. I have given it to my children from the baby up to the oldest child. I have cured LaGrippe with myself in three doses, by taking from 5 to 7 drops once a day for three days. I often thought I would write you my experience with this remedy, but neglected it all the while. I also obtained relief for Catarrh by using 'Frazier's.' * * * Distemper in Dogs * * * give at once 15 to 20 drops of Frazier's Distemper Remedy morning and evening after meals, give animals exposed the same amount, 2 to 6 drops for puppies. The large breed of dogs require the larger dose, as the case may require; the dose may be diminished in size as well as in number. * * * Use a small wooden paddle to place the remedy on the tongue. Fowls stricken with cholera * * * Since prevention is much easier than cure in this as in others, no better remedy may be found for this purpose than Frazier's Distemper Remedy. Thousands testify to its great value. Treatment—As a preventive it should be given in bran mash, proportioned at one teaspoonful to one dozen fowls once a day. In aggravated cases where the fowl will not eat four or five drops may be placed upon the fowl's tongue morning and evening. Sheep Distemper or Snuffles * * * Coughs, Colds, and Catarrh * * * Prevention is much more satisfactory than cure. Give the entire flock, during the winter and spring months, one or two doses each week, 'Frazier's' will pay you, as it has hundreds of sheep owners. * * * Why We Guarantee Frazier's Distemper Remedy * * * When we started to put Frazier's Distemper Remedy on the market * * * We made it so good that many who bought it gladly recommended it to others. * * * I have used several distemper cures, but I like your 'Frazier's' the best. * * * Frazier's Distemper Remedy has proven so satisfactory that I keep a supply in my stable for instant use. * * * Have used Frazier's Distemper Remedy with great success in treating cases of distemper, coughs, and colds. * * * I have 50 head of horses in my care, twelve of them took Distemper in its worst form, in one week after using 'Frazier's' all of them were well and ready for driving. I prevented the other 38 head from taking the disease by its use. * * * I have used 'Frazier's' with good results. It is certainly a great remedy. * * * I handle 'Frazier's' and have every confidence in the efficiency of the remedy. It is the only real remedy that I have ever known for distemper, also a certain preventive as well. * * * The use of your Frazier's Distemper Remedy has stood every test that I have placed upon it to cure or prevent Distemper, Pink Eye, Shipping Fever, etc. * * * I have used your Frazier's Distemper Remedy on a mare and colt that had the Pink-Eye, cured both cases within a few days, bred the mare back. I do not want to get out of the remedy. * * * My father used Frazier's Distemper Remedy * * * I have been dealing in horses * * * and I never saw a case it did not cure, and would advise any and all of my friends to use it. * * * Just a few days ago he took the distemper before I knew that he had been exposed and was running at one nostril and before the night the other nostril. It was then the Good Old Frazier's Distemper Remedy was given a fair trial, and it beat all remedies I ever tried. In three days or less time he was well. * * * Frazier's Distemper Remedy * * * It prevented my horses from having the distemper, when they were running with other horses about dead with it. I will recommend it to any one as a great remedy for the Distemper, Coughs, and Colds among horses. * * * Some months ago our Mr. Geo. Moore tried a small size bottle of your Frazier's Distemper Remedy and found the same satisfactory. * * * This Unparalleled Success Suggests a Few Facts Which Have Made Such Results Possible.

Frazier's Distemper Remedy is a remedy of proved merit. It has been used with remarkable success for a quarter of a century. * * * I am well pleased with 'Frazier's.' Have given it a thorough trial on poultry with Cholera, hogs with Influenza, mule and a calf with Distemper, and find it a cure for all three of the above diseases. * * * I want to let you know what 'Frazier's' did for my three head of horses with Distemper. One was a three months' old colt. I went to my druggist for a remedy. He said: 'Try Frazier's; it is guaranteed, and the only one that I can back up.' I bought one large bottle. It was no time until they were entirely recovered. I never thought the colt could recover. I keep a bottle constantly on hand. It sure does the work. * * * Frazier's. We find it the best remedy we ever used for Distemper, Coughs, and Cold;" (carton for one dozen boxes in portion of product) "Distemper Remedy for Horses. A safe and Reliable Remedy for the treatment among Horses of Distemper, Pink-Eye, Influenza, Catarrhal-Fever, Coughs and Colds, and other Diseases of a similar nature affecting the Nose and Throat."

On October 31 and November 26, 1928, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16394. Misbranding of Donnell's Indian vegetable oil. U. S. v. 37 Bottles of Donnell's Indian Vegetable Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23406. I. S. No. 05811. S. No. 1529.)

On February 14, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 37 bottles of Donnell's Indian vegetable oil, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by C. K. Donnell, M. D., Lewiston, Me., and transported from the State of Maine into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of cottonseed oil, containing volatile matter including chloroform (22.4 minims per fluid ounce), oil of peppermint, and camphor.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (bottle) "Dr. C. K. Donnell's Indian Vegetable Oil * * * is unexcelled for * * * Boils, Piles * * * Earache, Toothache, Canker, and all lameness of joints. Taken internally in doses of $\frac{1}{4}$ to $\frac{1}{2}$ teaspoonful on sugar as often as needed will relieve Croup, Colds, Coughs, Colic, Cramps, Pleurisy, Neuralgia, Diphtheria, Pneumonia," (carton) "Dr. C. K. Donnell's Indian Vegetable Oil A General Family Remedy For Rheumatism * * * Cramps of Limbs, Sore Throat, * * * Sore and Congested Lungs * * * Relieves and Prevents Croup, Pneumonia, Tonsilitis and Diphtheria. Also Inflammation in any part of Body," (circular) "Treatment of Influenza * * * And it is not the Influenza itself that actually kills, but the after effects which are lung complications, including Bronchitis, Pleurisy, Bronchopneumonia and Lobar-pneumonia and a tendency to heart failure. Symptoms of Influenza Generally the start is sudden and like a severe cold with the following well defined symptoms: Delirium, unconsciousness, and extreme tremor, severe pains in front part of the head, aching muscles, high fever, prostration. General Treatment Plenty of fresh air should be given patient during treatment and care should be taken to keep patient well covered with warm blankets and hot water bottles. The patient should be given a good sweat at the start but great care should be taken that the patient should not take cold after sweating. Diet should generally consist mainly of fluids such as milk, beeftea, clear soups, egg flips, and custard. Beeftea is especially valuable because of its stimulating properties. The drinking of large quantities of water, barley water, and lemon water should be encouraged as elimination is thereby promoted. Absolute Rest during the acute stage is vitally important. In the severer cases where there is collapse, labored breathing and rapid pulse is produced by any degree of movement. The patient should be disturbed as little as possible. Medical Treatment. Call Your Local Doctor at Once and in the meantime, which may be from one to several hours * * * give the patient